

## **EXHIBIT 6**

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1 UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF NEW YORK

3 THE AUTHORS GUILD, INC., et )  
4 al., ) Civil Action No.  
5 ) 05 CV 8136 (DC)  
6 Plaintiffs, )  
7 )  
8 vs. )  
9 )  
10 GOOGLE, INC., )  
11 )  
12 Defendant. )  
13 -----)

14 Friday, April 13, 2012  
15 2:36 p.m.

16 Videotaped Deposition of ERIC ZOHN,  
17 held at the offices of William Morris  
18 Endeavor, 1325 Avenue of the Americas,  
19 New York, New York 10019, pursuant to  
20 Subpoena, before Otis Davis, a Notary  
21 Public of the State of New York.

22  
23  
24  
25 (#442672)

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1 MS. ZACK: Objection, leading.

2 A. Any agent has a fiduciary duty to its  
3 client, to the principal. We're not unlike any other  
4 agent. We have a fiduciary duty to act in our  
5 client's best interest. It's not an arm's-length  
6 relationship, it's not a partnership. We're an  
7 agent, we work for our clients.

8 Q. How many authors are represented by the  
9 agents in the William Morris Endeavor book  
10 department?

11 MS. ZACK: Is that currently you mean?

12 THE WITNESS: It doesn't matter currently  
13 or not.

14 A. I don't really know the answer to that,  
15 because there are authors we represent who have  
16 written a lot of books, some we represent, some we  
17 don't, there are books we represent and the clients  
18 aren't here anymore because of the way the agency  
19 papers are -- I mean, we probably have active current  
20 authors, several hundred.

21 Q. Can you name some of those authors?

22 A. Sure I could.

23 Q. Would you name some of those authors?

24 A. We represent Judy Blume, we represent  
25 Daniel Keyes, we represent Kathy Reichs, we represent

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1 Steven Leavitt, Stephen Dubner, fiction, nonfiction,  
2 literary fiction, all sorts of genres.

3 Q. In terms of the size of various literary  
4 agencies, where does William Morris Endeavor rank in  
5 terms of the size of literary?

6 A. Well, as far as the number of agents and  
7 clients, we're I believe the biggest. Probably the  
8 biggest -- probably the biggest in all respects.  
9 Most literary agencies are very small.

10 Q. Do you recall whether J.J. Abrams is one  
11 of your book clients?

12 A. He is. He was a client in all areas. We  
13 did a book deal for him. I think the representation  
14 overall is in flux, but I know we are still  
15 representing the book that we sold for him. It's a  
16 qualified yes.

17 Q. Is Diane Keaton one of your literary  
18 clients?

19 A. We sold one book for Diane Keaton. I do  
20 not believe she is a client otherwise.

21 Q. Is John Waters one of your literary  
22 clients?

23 A. Yes, he is.

24 Q. Is Alice Munro one of your literary  
25 clients?

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1 questions and I'll object if I think they're  
2 incorrect.

3 Q. Mr. Zohn, will you understand what I'm  
4 asking if I refer to the Library Project to include  
5 the scanning of books in libraries and making certain  
6 uses of those books scanned in libraries?

7 A. If they're without permission?

8 Q. Yes.

9 A. Yes, I understand that distinction.

10 Q. Does William Morris Endeavor have a view  
11 as to whether the Google Books Search Library Project  
12 has an effect on the potential market for any books?

13 A. The view of the agency is that scanning  
14 books to create a search database that may also  
15 display snippets from the books is probably  
16 beneficial to authors, at least who appear high in  
17 the results of the search, but it's narrow. It's  
18 using the books to create a database that's  
19 searchable. That we believe is beneficial to the  
20 author. Anything that you may also do beyond that  
21 you'd have to ask me specifically.

22 Q. Why does William Morris Endeavor take  
23 that view?

24 A. That it's beneficial to the authors?

25 Q. That view, yes.

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1           A.     Because to us it's analogous to a Google  
2     Web site search. I think we all know how important  
3     the results -- let me start that again.

4                 Many people use Google as their search  
5     engine and people want to come up high in the search  
6     results and they want to -- people even want to come  
7     up next to the search results or pay to be on top of  
8     the search results, and I use that personally. I  
9     search Google all the time.

10                It's a very beneficial tool for me and  
11     for my colleagues. When we search for any sort of  
12     information on the Internet, it seems to us that  
13     our -- that a similar tool for books would be as  
14     beneficial to the authors as it is to the Web sites  
15     that come up high in the Google search.

16           Q.     How does that affect the potential market  
17     for books?

18           A.     Well, if people are searching for  
19     information and it becomes easy to find your product  
20     in a very, very, very, very crowded marketplace where  
21     there are -- I don't even know the number of how many  
22     books are published every year, year after year after  
23     year, I think any tool that helps readers or buyers  
24     find your product above someone else's is beneficial.

25           Q.     Does William Morris Endeavor have a view